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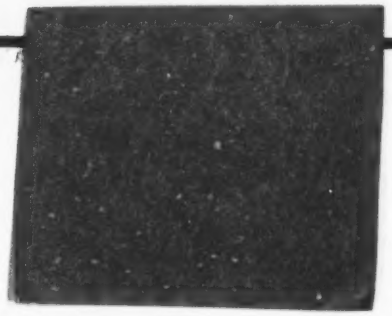

COMMISSION ON HUMAN RIGHTS
Sub-Commission on Prevention of
Discrimination and Protection
of Minorities
Forty-ninth session
Item 2 of the provisional agenda

QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS, INCLUDING POLICIES OF RACIAL DISCRIMINATION AND SEGREGATION AND OF APARTHEID, IN ALL COUNTRIES, WITH PARTICULAR REFERENCE TO COLONIAL AND OTHER DEPENDENT COUNTRIES AND TERRITORIES: REPORT OF THE SUB-COMMISSION UNDER COMMISSION ON HUMAN RIGHTS RESOLUTION 8 (XXIII)

Written statement submitted by the International Federation of Human Rights Leagues, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement, which is circulated in accordance with Economic and Social Council resolution 1296 (XLIV).

[5 August 1997]

Situation of human rights in Chad

1. The International Federation of Human Rights Leagues (FIDH) and its affiliate, the Chadian Human Rights League (LTDH), are still deeply concerned at the continuation and deterioration of the situation in Chad, which shows a consistent pattern of gross violations of human rights.

The context

2. In view of this situation, the FIDH and the LTDH have on several occasions requested that consideration of the situation of human rights in Chad should take place under the public procedure provided for in Economic and

Social Council resolution 1235 (XLII). In the conclusion of her last report, the Independent Expert appointed by the United Nations Commission on Human Rights, Mrs. M'Bam Diarra N'Douré, made it clear that the public procedure would be the most appropriate one for consideration of the situation of human rights in Chad. Nevertheless, the Commission on Human Rights decided, at its fifty-third session, to continue to consider the situation of human rights in Chad under the Council's resolution 1503 (XLVIII) procedure, and to appoint an independent expert once again.

The human rights situation

3. The human rights situation in Chad is characterized by three main factors: infringements of political rights, violations of the right to physical integrity and violations of economic and social rights.

4. Infringements of political rights. The conditions in which the 1996 presidential elections took place were such that it was not possible to envisage the rapid establishment of a democratic regime followed by a democratic exercise of power in Chad. It has in fact become clear that the members of President Déby's clan (the Zaghawas) have monopolized all the positions of responsibility in the administration and in the army, and that they enjoy total impunity. This undemocratic exercise of power has had obvious consequences for the political opposition, for the defenders of human rights and for respect for the right to fairness in the administration of justice.

5. A number of concordant reports refer to the existence of political prisoners in Chad. It was reported in November 1996 that five officers, accused of having given false information to the Head of State concerning a possible coup d'état fomented by persons from the Bourkou-Ennedi-Tibesti area, were arrested on the orders of President Déby and were deported to Tibesti without having been tried. After having been held, probably in one of the caves in the region that were also used under the regime of President Habré, they were freed in June 1997. Likewise, a number of persons arrested on 8 August 1995 and imprisoned for having exercised their freedom of opinion, and who were later transferred a number of times, were forcibly enrolled in the ninth infantry regiment of the army. At present, a dozen political prisoners, all army officers, appear to be held in a subterranean prison in Gabore, in the Tibesti area.

6. This undemocratic exercise of power is also reflected in a distrust of Chadian civil society and, in particular, of associations for the defence of human rights. The governmental authorities are placing many difficulties in the way of the members of these associations who seek to carry out their activities in freedom, despite the valuable role they have played, particularly in settling the conflict in northern Chad.

7. The FIDH and its affiliate the LTDH point out that the right to a fair system of justice is still denied in Chad. The courts are unable to ensure respect for the law, because of systematic intervention by the authorities in its administration, in order to ensure either impunity for someone close to the Government or the conviction of one of the Government's opponents.

8. The right to physical integrity. The civil population of Chad still has to face two main threats to its physical integrity: the continued existence of "road blocking", and summary executions.

9. The continued lack of security throughout the country constitutes one of the violations of physical integrity, and especially of freedom of movement, that are affecting the civil population. Economic difficulties within the army are driving a number of soldiers to set up "road blocks". People travelling between towns are held up and robbed both by those manning such checkpoints and by personnel at official checkpoints at the exits from towns.

10. Despite the lifting of the official telegraphic order of 16 November 1996 issued by the Specialized Units Command, stating: "no thief must have the benefit of any legal procedure. If in flagrante delicto, his physical elimination must immediately be carried out", because the authorities claimed that "justice is powerless and corrupt", the associations for the defence of human rights are still recording dozens of cases of summary and arbitrary executions of men, women and children. On 27 March 1997, a 12-year-old child was arrested following a theft. Although released on bond, he was once again arrested and then executed. On 26 March 1997 a thief was executed at the foot of the grandstand on the Place de l'independance at Koumra. A woman was also executed at the Goundi administrative office.

11. Economic and social rights. The per capita annual income in Chad is $122, which makes the country one of the poorest in the world. The health indicators are very low: malnutrition, lack of access to drinking water and the absence of health infrastructures create very serious problems. Furthermore, there is major discrimination in access to education. Even given this alarming situation, the Chadian authorities do not appear to be taking the necessary measures. For example, the agreement concluded between the Chadian authorities and a group of petroleum multinationals does not appear likely to benefit the civil population. On the contrary, this project, which consists in development of the Doba oilfields in southern Chad and in the laying of a 1,100 km pipeline through Cameroon, is liable to revive separatist tension in the region and to divert limited resources which could be allocated for health, education, environmental protection and health and supply infrastructures.

## Conclusion

12. In view of this tragic situation, the FIDH and its affiliate the LTDH consider it urgently necessary for the international community to take action and put an end to these flagrant and massive violations of human rights. They call on the Sub-Commission on Prevention of Discrimination and Protection of Minorities to request the Commission on Human Rights to consider the situation of human rights in Chad under the public procedure provided for in Economic and Social Council resolution 1235 (XLII) and to appoint a Special Rapporteur to examine the situation of human rights in Chad and to report to it at its fifty-fifth session.

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